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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/815,296

03/21/2001

Laura L. Kiessling

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4642

23713

7590

12/27/2006

GREENLEE WINNER AND SULLIVAN P C

4875 PEARL EAST CIRCLE

SUITE 200

BOULDER, CO 80301

EXAMINER

SHIBUYA, MARK LANCE

ART UNIT

PAPER NUMBER

1639

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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30 DAYS

12/27/2006

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/815,296 3/21/01 Kicssling

1-00

EXAMINER

SHIBUYA

ART UNIT

PAPER

1639

20061220

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see attached communication.

Mark L. Shibuya, Ph.D.  
Primary Examiner  
Art Unit: 1639

### Communication

The reply filed on 9/22/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment to the claims, for example and particularly, in deleting the species of the release of an intracellular signal, in favor of the species of cellular chemotaxis, (see, claims 28, 144, and 159; and the Reply, entered 9/22/2006, at p. 14 clarifying that the claimed invention is for inducing "cellular chemotaxis"), appears to change the elected species, and so the amendment is non-responsive. In the Election of Species, entered 3/4/2004, at p. 27, elected the species of biological response that is the release of intracellular signal, (species B4 versus B1, from the list on p. 8 of the Requirement for Restriction/Election, mailed 9/4/2004). Because applicant's amendments to the claims in effect cancel applicant's elected species, applicant's amendment to the claims is non-responsive. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Art Unit: 1639

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark L. Shibuya, Ph.D., whose telephone number is (571) 272-0806. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. James Schultz can be reached on (571) 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MARK L. SHIBUYA  
PRIMARY EXAMINER